

HOUSE BILL No. 1741

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-46-4-11.

Synopsis: School transportation fund appeals. Permits a school corporation to appeal to the department of local government finance to increase its maximum transportation fund levy to an amount that does not exceed the amount levied by the school corporation in 2001.

Effective: July 1, 2007.

Pelath, Dermody

January 26, 2007, read first time and referred to Committee on Ways and Means.

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First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1741

A BILL FOR AN ACT to amend the Indiana Code concerning education finance.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-46-4-11 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2007]: **Sec. 11. (a) This section applies only to a school**
4 **corporation for a calendar year in which the levy that would**
5 **otherwise be permitted under this chapter for the ensuing year is**
6 **less than the levy imposed by the school corporation in 2001.**

7 **(b) A school corporation may appeal to the department of local**
8 **government finance under IC 6-1.1-19 to increase the maximum**
9 **levy permitted for the school corporation's fund.**

10 **(c) To be granted an increase by the department of local**
11 **government finance, the school corporation must establish the**
12 **following:**

13 **(1) The levy that the school corporation would otherwise be**
14 **permitted to impose under this chapter for the ensuing year**
15 **is less than the levy imposed by the school corporation in**
16 **2001.**

17 **(2) The school corporation's expenditures for the costs**



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1 attributable to transportation paid from the fund in:

2 (A) each of the four (4) calendar years immediately
3 preceding the calendar year in which the appeal is filed
4 exceeded the maximum levy permitted for that calendar
5 year; and

6 (B) the calendar year in which the appeal is filed are
7 projected to exceed the maximum levy permitted for that
8 calendar year;

9 after deducting costs attributable to transportation that are
10 payable from grants, excise taxes, local income taxes, or
11 reimbursements from any source for the fund.

12 (3) An increase is necessary to pay the costs attributable to
13 transportation in the ensuing year.

14 (d) The department of local government finance may grant a
15 maximum levy increase that is less than the increase requested by
16 the school corporation.

17 (e) If the department of local government finance determines
18 that a permanent increase in the maximum permissible levy is
19 necessary, the maximum levy after the increase granted under this
20 section becomes the school corporation's maximum permissible
21 levy to which section 6 of this chapter applies.

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